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Rec'd # 40137

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Complaint and Emergency Request for Injunction

The Parties in this complaint

A. The Plaintiff

Florence Victoria Etefia
3035 Debra Court
Auburn Hills 48326
248/892/8673
Etefia7@gmail.com

Case: 4:23-cv-11775
Assigned To : Behm, F. Kay
Referral Judge: Ivy, Curtis, Jr
Assign. Date : 7/24/2023 4:32 PM
Description: CMP ETEFIA V. AUBURN HILLS POLICE
DEPARTMENT ET AL (DA)

B. The Defendant(s)

City of Auburn Hills Police Department
1899 N. Squirrel Road
Auburn Hills, Oakland County
MI, 48326
248/364/6850

City of Auburn Hills Fire Department
1899 N. Squirrel Road
Auburn Hills, Oakland County
MI, 48326
248/364/6860

City of Auburn Hills Ambulance Service
1899 N. Squirrel Road
Auburn Hills, Oakland County
MI. 48326
248/364/6860

**City of Auburn Hills Police Co-Responder, Social Worker, Hillary
Nusbaum, Petition for Mental Health Treatment**
1899 N. Squirrel Road

**Auburn Hills, Oakland County
MI, 48326
248/364/66850**

**Dr. Daniel Wahl DO
Physician, McLaren Hospital Oakland, Signed Clinical
Certification Form
50 North Perry
Pontiac, Oakland
MI, 48326
248/338/5000**

**Dr. Theodore Ruza
Physician, McLaren Hospital Oakland, Prescribed Medication
50 North Perry
Pontiac, Oakland
MI, 48326
248/338/5000**

**Dr. Michelle Krystyna DO
Physician, McLaren Hospital Oakland, Documented Mental
Health Inpatient Need
50 N. Perry
Pontiac, Oakland
MI, 48326
248/338/5000**

II. Basis for Jurisdiction

What is the basis for Federal court jurisdiction?

Federal court jurisdiction, Civil Liberties and Civil Rights

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

- 1. First Amendment, the right to free speech**
- 2. Eighth Amendment, cruel and unusual punishment**
- 3. Thirteenth Amendment, being held as a slave by a government entity.**
- 4. Fourteenth Amendment, loss of liberty without given due process.**
- 5. Unequal treatment due to race, age, gender (John Punch case, 1640)**
- 6. Striped of personhood and physical health due unequal treatment through psychological terror and unneeded medications by injection and pills (The Civil Rights Act of 1964)**
- 7. Loss of freedom, liberty and happiness by way of involuntary incarceration and unjust detainment (Bill of Rights, United States Constitution)**

!!!. Statement of Claim(s)

A. Where did the events giving rise to your claim(s) occur?

- 1. The Public Safety Building which houses the Auburn Hills Police Department and the Auburn Hills Fire Department.
1899 N. Squirrel Road, Auburn Hills, MI, Oakland County,
48326**

**St. Joseph Mercy Oakland Emergency, 44405 Woodward Ave.
Pontiac, Oakland County, MI 48341**

**McLaren Hospital Oakland, 50 Perry Street, Pontiac, Oakland
County, MI, 48342-2217**

**2. The Auburn Hills Public Library, 3400 E. Seyburn Drive,
Auburn Hills, Oakland County, MI, 48326**

**McLaren Hospital Oakland, 50 Perry Street, Pontiac,
Oakland County, MI, 48342-2217**

**B. On what date and approximate time did the events giving rise to
your claim(s) occur?**

1. December 21, 2022, to January 12, 2023

**Auburn Hills Safety Building arrived approximately 5:PM,
December 21, 2022.**

December 21, 2022, to January 12, 2023

**Taken to St Joseph hospital approximately 6PM, December
21, 2022.**

**Taken to McLaren Hospital Oakland approximately 11PM,
December 21, 2022.**

2. May 5, 2023, to 5-17-2023

**Taken to McLaren Hospital Oakland on May 5, 2023, at
approximately 7PM from the Auburn Hills Public Library.**

C. What are the facts underlying your claim(s)?

- **I was weaned off the psychotropic medication, risperidone, with the assistance of my former therapist, Dr. Sandra Miller, who felt as I did that it was not medically necessary, between March 8, 2021, through January 6, 2022. Therefore, I was not on any psychotropic medication during the incarceration claims period.**
- **The first, incident occurred on December 21, 2022, when I went to the safety building for assistance with retrieving my door key from my lock box on my condo. I was questioned by the police and firemen concerning why I did not have a key. After giving an explanation one fireman said I needed to go to the hospital. I was transported by ambulance to St Joseph emergency where I talked with a social worker for approximately 30 minutes. I was told that I would be sent to McLaren Mental Health Unit.**
- **The second incident occurred on May 9, 2023 at the Auburn Hills Public Library during a condo association meeting. When the meeting was over, I made a comment privately to Alan Toby, president of the condo association. He became offended and mischaracterized my comment. A Caucasian women said “I don’t like what you say , I’m calling the police.” The police came with the social worker, Hillary Nusbaum. I was transported by ambulance to McLaren Hospital and admitted to the Mental Health unit based on false allegations concerning my mental health written on a form designed to admit me, completed by the social worker. Also, a Clinical Certificate form was completed by a Dr. Daniel Wahl, DO, without performing a mental status evaluation of me. As a result, his comments**

concerning my mental status were false. He indicated on the form that I needed to be admitted inpatient.

IV. Irreparable Injury

- Due to the multiple weeks of my incarceration in McLaren's Geriatric Mental Health Unit when I was not mentally ill and did not need psychotropic medication and injections that were given to me by force I have been traumatized physically and mentally due to psychological harassment and side effects from medications and injections while being restrained due to my refusal to take medication before a required court order, because I was admitted involuntarily and according to Michigan State Law you have to give consent to receive medication. They ignored the law and would inject me forcefully by restraints when I quoted the Michigan State Mental Health law. No other patient was forcibly restrained. When I complained about possible side effects of the medication, because lithium and risperidone and possibly Haldol may cause heart problems particularly in the elderly and early on, I saw a cardiologist. I was ignored, but repeatedly emphasizing my possible heart problems I was evaluated. When I was released on May 17, 2023, I was drowsy and had difficulty walking, concentrating and I fell at home possibly due to the medication that I took only when I was inpatient. I'm asking for an emergency injunction because I fear for my life if I'm incarcerated again. One nurse stated she was going to give me Haldol and insisted even when I told her I no longer take it. To stop her from administering the medication, I had to ask another nurse to intervene. I once asked a nurse why she did not discipline other patients like she did me "yelling sit down", she said they have problems and I asked, "why am I here"?

- **Relief**

I have been to McLaren twice and the violation of my civil liberties and civil rights continued to be a problem even when I completed written complaint forms concerning conditions at the facility. I am asking for a permanent injunction against the City of Auburn Hills employees to cease arranging for my placement at a mental health facility or jail without good cause and that the State of Michigan evaluate the current mental health system at all levels including training professionals concerning the types of behaviors that need inpatient mental health services for patients of all ages. As well as evaluating training programs and certificates in mental health, for mental health professionals the system appears to be broken for some such as minorities and youth and can be used as methods of control and incarceration for monetary gains. I am entitled to actual and punitive money damages because of violations of civil liberties, civil rights and my finances have suffered because I could not work on solving my identity theft due to being incarcerated unjustly in mental health facilities for weeks and once home stressed due to the suffering I experienced. I have been incarcerated in mental health facilities three times in a year, once in Indiana and twice in Michigan. I'm 77 years old and I do not view these facilities as helpful for anyone. Most patients sleep.

Holocene Etefia 7-24-23 4:31 PM
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